

PTO/SB/31 (08-04)

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NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

501001-A-01-US (Singh)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on February 4, 2005

Signature

Typed or printed  
name

Vita Bencivenni

In re Application of

N. Singh et al.

Application Number

09/924,983

Filed

August 8, 2001

For

Fault Tolerance Software System with Periodic External Self-Test  
Failure Detection

Art Unit

2114

Examiner

Bryce P. Bonzo

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0762. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☒ attorney or agent of record.  
Registration number 37,922
- ☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Joseph B. Ryan

Typed or printed name

(516) 759-9512

Telephone number

February 4, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**RYAN, MASON & LEWIS, LLP**  
**ATTORNEYS AT LAW**  
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**Facsimile: (516) 759-9512**

**DATE:** March 29, 2005**FILE:** Ryan, Mason & Lewis, LLP  
Deposit Account No. 50-0762Facsimile Message From: **TERESA M. HAMLIN**

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**NAME:** Attention: LaTrice Sims**OF:** U.S. Patent and Trademark Office/Deposit Account Branch**FAX NUMBER:** (703) 308-5077**NUMBER OF PAGES INCLUDING THIS COVER PAGE:** 2**COMMENTS/INSTRUCTIONS**

Dear Ms. Sims:

Attached is a copy of page 1 of our February 2005 Monthly Statement of Deposit Account. Please note that the Notice of Appeal filed on February 4, 2005, for Serial No. 09/924,983, inadvertently charged Deposit Account No. 50-0762 the amount of \$500.00. The deposit account that should have been used is 50-1602. Therefore, we would appreciate it if you could refund Deposit Account No. 50-0762 the \$500.00 charge and charge Deposit Account No. 50-1602 the Notice of Appeal fee of \$500.00. Please let me know if you require any additional information. Thank you for your help.

Sincerely,

Teresa M. Hamlin

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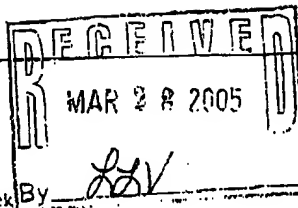


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RYAN, MASON & LEWIS, LLP  
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